

REMARKS

Reconsideration and withdrawal of the rejections of the claimed invention is respectfully requested in view of the amendments, remarks and enclosures herewith, which place the application in condition for allowance.

STATUS OF CLAIMS AND FORMAL MATTERS

Claims 13-25 are now pending. Amended claim 13 includes further limitations which were not considered at the time the decision by the Board of Appeals was rendered, namely, the nature of the pressure sensitive adhesive and the rate of administration of the calcium antagonist of the dihydropyridine. Support for these limitations can be found on page 5, lines 13-16 and page 6, lines 1-4, respectively.

As each of the claims are ultimately dependent upon claim 13, each of pending claims 13-25 are not subject to the Board of Appeal decision (in addition, the change in claim dependency and additional limitations in claims 17-19 and new claims 24 and 25 represent additional limitations apart from those previously considered).

No new matter has been added.

It is submitted that the claims, herewith and as originally presented, are patentably distinct over the prior art cited in the Office Action, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. The amendments of the claims, as presented herein, are not made for purposes of patentability within the meaning of 35 U.S.C. §§§§ 101, 102, 103 or 112. Rather, these amendments and additions are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

CONCLUSION

In view of the remarks and amendments herewith, the application is believed to be in condition for allowance. Favorable reconsideration of the application and prompt issuance of a Notice of Allowance are earnestly solicited. The undersigned looks forward to hearing favorably from the Examiner at an early date, and, the Examiner is invited to telephonically contact the undersigned to advance prosecution.

Respectfully submitted,
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